

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF TEXAS

Report on Person Under Supervision - No Court Action Recommended

Person Under Supervision: Monte Melugin Case No.: 3:10-CR-00297(1)
 Name of Sentencing Judge: U.S. District Judge Ed Kinkeade
 Date of Original Sentence: March 30, 2011
 Original Offense: Receipt of Child Pornography, 18 U.S.C. § 2252(a)(2), a Class C felony
 Original Sentence: 144-month custody, Life term of supervised release
 Revocations: None.
 Type of Supervision: Supervised Date Supervision Commenced: July 16, 2021
Release
 Assistant U.S. Attorney: Camille Sparks Defense Attorney: Mick Mickelson
(Court appointed)

Notification To The Court For Cause As Follows:

The probation officer believes that the person under supervision has violated the following conditions which require official notification, although no Court action is being recommended at this time.

I.**Violation of Special Condition**

The defendant shall neither possess nor have under his control any sexually oriented, or sexually stimulating materials of adults or children. This includes visual, auditory, telephonic, electronic media, email, chat communications, instant messaging, or computer programs. The defendant shall not patronize any place where such material or entertainment is available. The defendant shall not use any sex-related telephone numbers.

Violation of Special Condition

The defendant shall not have access to a computer, cellular device, or any electronic equipment that allows access to the internet, without the express permission of the Court.

Violation of Special Condition

The defendant shall not have access to the internet, without the express permission of the Court.

Nature of Noncompliance

On July 16, 2021, Monte Melugin began his term of supervised release in the Northern District of Texas, Dallas Division. Mr. Melugin violated these conditions of supervised release by possessing an iPod device and using it to access the internet on multiple occasions between March 2021 through November 2021. Mr. Melugin used the iPod to view sexually oriented and stimulating material of adults and images of nude children.

On January 31, 2022, Mr. Melugin submitted a polygraph examination and was subsequently advised by the polygrapher that he failed, meaning deception was indicated. On this same date, Mr. Melugin wrote a letter and sent it to his sex offender treatment counselor, Janelle Bruner, and this officer. The letter detailed that Mr. Melugin purchased an iPod device while he was at the halfway house in March 2021. He used the device to conduct Google searches and view pictures of adults and minor boys, which included exposed genitals. Mr. Melugin stated he felt shameful and gave the iPod to a friend in November 2021.

On February 1, 2022, this officer spoke with Ms. Bruner and she advised she spoke with Mr. Melugin after his polygraph, and he disclosed his violations to her. Ms. Bruner provided the polygraph examination to this officer, which stated the defendant failed the portions when asked if he accessed the internet and if he viewed any sexual images of anyone under the age of 18. After the polygraph, the polygrapher advised Mr. Melugin that he failed, and afforded him the opportunity to give an explanation. Mr. Melugin explained when he goes to Target to shop, he walks past the children's section and, after seeing advertisement pictures, he begins having fantasies. He further elaborated when he sees the pictures of young children in the clothing section, he imagines himself being 12 years old and having sex with older men. He advised the most recent occurrence of this was approximately two weeks ago. Ms. Bruner advised she believes Mr. Melugin would benefit from further treatment and increased individual sessions.

On February 1, 2022, this officer met with Mr. Melugin at the Probation Office and Mr. Melugin made the same statements he told Ms. Bruner. He expressed shame and remorse for his behavior and requested to receive further treatment. Additionally, he signed an Admission of Violation form as well as a Waiver of Hearing to Modify the Conditions of Supervised Release. Mr. Melugin voluntarily surrendered his iPod; however, the device was wiped, reset, and no longer contains any data.

This officer will follow up with a *Request to Modify Conditions of Supervision* to include conditions intended to further monitor Mr. Melugin's compliance on supervised release. The conditions which will be respectfully requested were not available at the time of his sentencing in 2011. Furthermore, it is respectfully requested no action be taken at this time to allow him an opportunity to participate in increased treatment. If any further violations should occur, the Court will be notified promptly.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2022

Respectfully submitted,

Approved,

s/Allison Audd
U.S. Probation Officer
Dallas
Phone: 214-753-2481

s/Deanna Spokes
Supervising U.S. Probation Officer
Phone: 214-753-2561

Order of the Court:

- Agrees with the recommendation of the probation officer.
- Orders the probation officer to submit a request for modifying the conditions or term of supervision.
- Orders the probation officer to submit a request for warrant or summons.
- Other or Additional:
- File under seal until further order of the Court.

The Honorable Ed Kinkeade
U.S. District Judge


Date

AA